



8-25-04

IFW 2873

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Neil R. Nelson

U.S. Serial No.: 10/802,713

Filed: March 17, 2004

For: HYPERSPECTRAL SCENE
GENERATOR AND METHOD OF
USE

Group Art Unit: 2873

Examiner:

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Mailing Label No. EV156142081

Date of Deposit: August 24, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

Print Name: Lori Goldman

Signature: *Lori Goldman*

Commissioner for Patents
Alexandria, VA 22313-1450

August 24, 2004

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97, and 1.98, Applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner. It is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

I. LIST OF PATENTS, PUBLICATIONS, OR OTHER INFORMATION

The patents, publications, and other information submitted for consideration by the Office (except U.S. patent applications) are listed on Form PTO-1449, attached hereto.

II. COPIES

- a. X Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed, except that no copy of a published U.S. patent or a U.S. patent application is included.
- b. Any patents, publications or other information which are listed on PTO-1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. §120:

U.S. Serial Number

U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language (concise explanation not required).
- b. A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. §1.98(a)(3)):
- c. The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. §122.

Serial No.

Filing Date

Art Unit

V. X THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b): (check one box)

- a. within three months of the filing date of a national application (37 C.F.R. §1.97(b)(1)). No fee or certification is required.
- b. within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. §1.97(b)(2)). No fee or certification is required.
- c. X before the mailing date of a first Office action on the merits (37 C.F.R. §1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. §1.97(c) and see the certification under 37 C.F.R. §1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$240.00 as required by 37 C.F.R. §1.17(p).

VI. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c): (check one box)

• before the mailing date of either a Final Office Action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

- a. No certification; therefore, a fee in the amount of \$240.00 is required by 37 C.F.R. §1.17(p).
- b. See the certification below. No fee is required.

VII. _____ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(d): (check one box)

• after the mailing date of either a Final Office Action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, yet on or before payment of the issue fee.

- a. _____ See the certification below and the petition requesting consideration of the IDS attached hereto. A fee in the amount of \$240.00 is required by 37 C.F.R. §1.17(p).

VIII. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

- a. _____ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. §1.97(e)(1)); a copy of the communication is enclosed; or
- b. _____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this statement (See 37 C.F.R. §1.97(e)(2)).
- c. _____ Some of the items of information were cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this statement.

IX. PAYMENT OF FEES (check one box)

_____ A check in the amount of \$240.00 is enclosed for the above-identified fee.

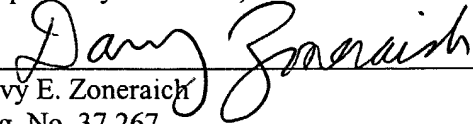
_____ Please charge Deposit Account No. 14-1263 in the amount of \$240.00 for the above-indicated fee. A triplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art.

If the Examiner has any questions concerning this IDS, the Examiner is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 14-1263.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. §1.17 to Deposit Account No. 14-1263.

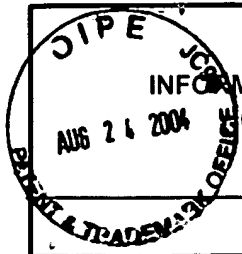
Respectfully submitted,


Davy E. Zoneraich
Reg. No. 37,267

NORRIS, MCCLAUGHLIN & MARCUS, PA
P.O. Box 1018
Somerville, NJ 08876
(908) 722-0700

Attorney Docket No. 20776-126 US

Enclosures: X PTO-1449
 PTO-892
 References
 Foreign Search Report
 Fee
 Other:



INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.

20776-126US

APPLICATION NO.

10/802,713

APPLICANT(S)

Neil R. Nelson

FILING DATE

March 17, 2004

GROUP ART UNIT

2873

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,208,752	3/27/01	Palmadesso et al.	382	155	
	6,282,301	8/28/01	Haskett	382	103	

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/0015151	2/7/02	Gorin	356	303	
	2003/0096425	5/22/03	Berk et al.	436	171	
	2002/0193971	12/19/02	Whitsitt et al.	782	189	
	2002/0154300	10/24/02	Mansfield et al.	356	300	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.